

**ASSEMBLY AMENDMENT 39,
TO 2003 SENATE BILL 44**

June 19, 2003 – Offered by Representative BALOW.

1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 1, as follows:

3 **1.** Page 311, line 8: delete lines 8 to 25.

4 **2.** Page 312, line 1: delete lines 1 to 13 and substitute:

5 “**SECTION 441g.** 20.410 (3) (hm) of the statutes is amended to read:

6 20.410 **(3)** (hm) *Juvenile correctional services.* Except as provided in pars. (ho)
7 and (hr), the amounts in the schedule for juvenile correctional services specified in
8 s. 301.26 (4) (c) and (d) ~~and to operate the correctional institution authorized under~~
9 ~~1997 Wisconsin Act 4, section 4(1)(a).~~ All moneys received from the sale of surplus
10 property, including vehicles, from juvenile correctional institutions operated by the
11 department, all moneys received as payments in restitution of property damaged at
12 juvenile correctional institutions operated by the department, all moneys received
13 from miscellaneous services provided at a juvenile correctional institution operated

1 by the department, all moneys transferred under s. 301.26 (4) (cm), ~~all moneys~~
2 ~~received under 1997 Wisconsin Act 27, section 9111 (2u)~~ and, except as provided in
3 par. (hr), all moneys received in payment for juvenile correctional services specified
4 in s. 301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If
5 moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year
6 institutional costs, ~~other than the cost of operating the correctional institution~~
7 ~~authorized under 1997 Wisconsin Act 4, section 4 (1) (a)~~, by 2% or more, all moneys
8 in excess of that 2% shall be remitted to the counties during the subsequent calendar
9 year or transferred to the appropriation account under par. (kx) during the
10 subsequent fiscal year. Each county and the department shall receive a
11 proportionate share of the remittance and transfer depending on the total number
12 of days of placement at juvenile correctional institutions including the Mendota
13 Juvenile Treatment Center. Counties shall use the funds for purposes specified in
14 s. 301.26. The department shall deposit in the general fund the amounts transferred
15 under this paragraph to the appropriation account under par. (kx).”.

16 **3.** Page 929, line 21: delete lines 21 to 25.

17 **4.** Page 930, line 1: delete lines 1 to 25.

18 **5.** Page 931, line 1: delete lines 1 to 25.

19 **6.** Page 932, line 1: delete lines 1 to 4 and substitute:

20 **“SECTION 2492g.** 301.26 (4) (d) 2. of the statutes is amended to read:

21 301.26 (4) (d) 2. Beginning on July 1, ~~2001~~ 2003, and ending on June 30, ~~2002~~
22 2004, the per person daily cost assessment to counties shall be ~~\$167.57~~ \$172.51 for
23 care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~\$167.57~~
24 \$172.51 for care for juveniles transferred from a juvenile correctional institution

1 under s. 51.35 (3), ~~\$213~~ \$226 for care in a residential care center for children and
2 youth, ~~\$129~~ \$135 for care in a group home for children, ~~\$41~~ \$43 for care in a foster
3 home, ~~\$81~~ \$85 for care in a treatment foster home, ~~\$82.56~~ \$84.50 for departmental
4 corrective sanctions services, and ~~\$21.96~~ \$22.66 for departmental aftercare services.

5 **SECTION 2493g.** 301.26 (4) (d) 3. of the statutes is amended to read:

6 301.26 (4) (d) 3. Beginning on July 1, ~~2002~~ 2004, and ending on June 30, ~~2003~~
7 2005, the per person daily cost assessment to counties shall be \$172.51 for care in a
8 Type 1 secured correctional facility, as defined in s. 938.02 (19), \$172.51 for care for
9 juveniles transferred from a juvenile correctional institution under s. 51.35 (3), \$226
10 for care in a residential care center for children and youth, \$135 for care in a group
11 home for children, \$43 for care in a foster home, \$85 for care in a treatment foster
12 home, \$84.50 for departmental corrective sanctions services and \$22.66 for
13 departmental aftercare services.

14 **SECTION 2493n.** 301.26 (5) of the statutes is created to read:

15 301.26 (5) REVENUE SUFFICIENCY. If the department of corrections projects that
16 there will be a deficit in the appropriation account under s. 20.410 (3) (hm), (ho), or
17 (hr) on June 30 of a fiscal year, the department of corrections shall propose and
18 submit to the department of administration under s. 16.513 (3) a plan to ensure that
19 there are sufficient moneys, assets, or accounts receivables in those appropriation
20 accounts to meet the projected expenditures under those appropriation accounts.
21 The plan shall provide for that projected deficit to be absorbed by the department of
22 corrections reducing the operational costs of providing juvenile correctional
23 services.”.

24 **7.** Page 1075, line 11: delete lines 11 to 22.

